

#02329 KTL/mtd 02/02/18

2017S-5000

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE EQUIFAX, INC., CUSTOMER  
DATA SECURITY BREACH  
LITIGATION.

MDL DOCKET NO. 2800  
1:17-MD-2800-TWT

CONSUMER ACTIONS

**APPLICATION FOR APPOINTMENT OF THOMAS A. DEMETRIO,  
KENNETH T. LUMB, AND WILLIAM T. GIBBS OF CORBOY & DEMETRIO, P.C.  
AS MEMBERS OF THE STEERING COMMITTEE FOR THE CONSUMER  
PLAINTIFF CLASS**

By this Application, Thomas A. Demetrio, Kenneth T. Lumb, and William T. Gibbs of Corboy & Demetrio, P.C. apply to serve on the Steering Committee for the consumer class in the above-captioned litigation.

Corboy & Demetrio has over fifty years of experience representing plaintiffs in all areas of personal injury, including consumer actions. If appointed to the Steering Committee by the Court, Corboy & Demetrio will fully commit to devote the time and resources required to bring about a successful, timely resolution to the litigation.

**THE EQUIFAX LITIGATION**

In July 2017, Equifax discovered that sensitive and personal information of its consumers had been breached by a third party. However, it was not until six weeks later that Equifax notified these consumers of the breach. Many of those affected by the breach have filed claims against Equifax, alleging fraud and negligence, amongst other claims.

Corboy & Demetrio is counsel of record in the following Equifax case filed in the Northern District of Illinois: *Meyers et al.v. Equifax*, Case No. 1:17-cv-6652 (E.D. Ill). In addition, nearly 1,000 consumers have individually retained Corboy & Demetrio to advocate for their interests in relation to this breach.

### **EXPERIENCE AND EXPERTISE**

Corboy & Demetrio has a proud history of providing zealous advocacy for its clients. (See Firm History and Honors & Awards, hereto attached as Exhibits A and B, respectively.) The firm has ample resources, both financial and personnel, to successfully advocate on behalf of Equifax victims. Their access to sufficient resources will advance the litigation in a timely manner.

Corboy & Demetrio also has a history of litigating large, high-profile cases relating to all areas of personal injury, including aviation, professional sports liability, pharmaceutical litigation. Just a few of the firm's notable cases include:

- Major airplane litigation (American & United)
- John Hancock building scaffolding wrongful death litigation
- Fox River Grove train/bus collision wrongful death litigation
- Amtrak crash litigation
- Megabus crash litigation
- Northwestern Hospital sperm destruction litigation
- 2005 Metra train derailment litigation
- Clark USA oil refinery fire litigation
- Rockford train derailment litigation
- Cook County hi-rise fire litigation
- Lincoln Park porch collapse litigation
- Chevron Chemical – G.E. Litigation
- 1982 Tylenol tampering litigation

- NFL concussion litigation
- NHL concussion litigation
- VH-1 “Rock of Love” bus crash litigation

The firm has demonstrated, time after time, its ability to work cooperatively with others and its strong willingness and ability to commit to a time-consuming process. Their professional experience is unparalleled.

Additionally, Corboy & Demetrio’s Chicago office enables it to be easily accessible. Nearby O’Hare International Airport, Corboy & Demetrio would provide for an approachable hub from all areas of the United States.

### **THE ATTORNEYS AT CORBOY & DEMETRIO**

#### **I. THOMAS A. DEMETRIO**

A founding member of Corboy & Demetrio, Thomas A. Demetrio has over 40 years of experience in civil litigation. Mr. Demetrio is a nationally renowned trial lawyer with an acquired verdict total of well over \$1 billion. His practice areas include everything in personal injury from aviation and pharmaceutical litigation to professional sports liability.

Mr. Demetrio has served as President of both the Illinois Trial Lawyers Association and the Chicago Bar Association. He has been recognized for his achievements in “Best Lawyers in America” for over thirty years and has been ranked number one in the “Top 10 Illinois Super Lawyers” for the past two years.

Mr. Demetrio earned his undergraduate degree from the University of Notre Dame and his law degree from IIT Chicago-Kent College of Law. Mr. Demetrio’s bar and court admissions include: Illinois; Florida; U.S. District Court, Northern District of Illinois; U.S. Court of

Appeals, Fifth Circuit; U.S. Court of Appeals, Seventh Circuit; U.S. Court of Appeals, Ninth Circuit. (*See* Thomas A. Demetrio Biography, hereto attached as Exhibit C.)

## **II. KENNETH T. LUMB**

Kenneth Lumb has been with Corboy & Demetrio since 1995. After a tour of duty in the United States Army, Mr. Lumb was named partner in 2015. He has obtained multi-million-dollar verdicts and settlements on behalf of his clients.

Mr. Lumb's practice areas include various areas of personal injury and medical malpractice. In 2005, Ken was honored and profiled by the Law Bulletin Publishing Company as one of "40 Illinois Attorneys Under 40 to Watch." He is a member of the Leading Lawyers Network and was selected as an Illinois Super Lawyers from 2014-2018.

Mr. Lumb earned his undergraduate degree from the University of Notre Dame and his law degree from DePaul University College of Law. Mr. Lumb's bar and court admissions include: Illinois; U.S. Army Court of Military Review; U.S. District Court, Northern District of Illinois; U.S. Court of Appeals, Seventh Circuit. (*See* Kenneth T. Lumb Biography, hereto attached as Exhibit D.)

## **III. WILLIAM T. GIBBS**

William T. Gibbs, a partner at Corboy & Demetrio, has over a decade of experience with the firm. His areas of practice include construction negligence, product liability, professional sports liability and everything in between. Mr. Gibbs has secured numerous multi-million-dollar verdicts. In 2013, The National Trial Lawyers named Mr. Gibbs one of the Top 40 Under 40 Lawyers in the country, and in 2014, he was named to The National Trial Lawyers: Top 100

Trial Lawyers. Additionally, in 2017, The National Trial Lawyers named Mr. Gibbs to NTL's Brain Injury Trial Lawyers Association Top 25.

Mr. Gibbs has been appointed by Judge Susan Richard Nelson to the Plaintiffs' Steering Committee in NHL litigation, MDL No. 14-2551 (SRN/BRT). Mr. Gibbs also represents numerous retired NFL players and the estates of those who are now deceased in concussion and CTE related litigation. He has extensive experience in MDL litigation.

Mr. Gibbs earned his undergraduate degree from the University of Notre Dame, Master's degree from the University of Portland, and his law degree from IIT Chicago-Kent College of Law. Mr. Gibbs' bar and court admissions include: Illinois; U.S. District Court; Northern District of Illinois; U.S. District Court of Nebraska; U.S. Court of Appeals, Eighth Circuit, and the U.S. Supreme Court. (*See William T. Gibbs Biography, hereto attached as Exhibit E.*)

**CONCLUSION**

Corboy & Demetrio, P.C. and partners Thomas A. Demetrio, Kenneth T. Lumb, and William T. Gibbs respectfully request an appointment to the Equifax Plaintiffs' Steering Committee for the consumer actions. The firm and its attorneys have the experience and dedication required to achieve a just result in this case for all victims of the Equifax data breach. The firm's experience and ability would benefit the Steering Committee and the case as a whole.

Respectfully submitted,

/s/ Kenneth T. Lumb

Thomas A. Demetrio  
Kenneth T. Lumb  
William T. Gibbs  
Corboy & Demetrio, P.C.  
Attorneys for Plaintiffs  
33 North Dearborn Street, 21st Floor  
Chicago, Illinois 60602  
(312) 346-3191  
I.D. No. 02329